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CITIZENS
communications



March 29, 2000

VIA COURIER

Magalie Roman Salas, Secretary
Federal Communications Commission
Room TW-A325
445 12th Street, SW
Washington, DC 20554

RECEIVED
MAR 29 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: Petition of Citizens Utilities Company for Temporary
Waiver of the Truth-in-Billing Rules, 47 C.F.R. § 64.2400,
et seq., CC Docket 98-170

Dear Ms. Salas:

Enclosed for filing are an original and ten copies of Citizens Utilities
Company's Petition for Temporary Waiver of the Commission's truth-in-billing
rules, 47 C.F.R. § 64.2400, *et seq.*

Please note that expedited treatment of this petition is requested.

Thank you for your assistance.

Sincerely,

John B. Adams
Senior Attorney

CC: ITS

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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

RECEIVED

MAR 29 2000

CC Docket 98-170
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Truth in Billing and Billing Format)
)
Petition of Citizens Utilities Company)
For a Waiver of the Truth-in-Billing)
Rules, 47 C.F.R. § 64.2400, *et seq.*)

PETITION FOR TEMPORARY WAIVER

EXPEDITED TREATMENT REQUESTED

Pursuant to 47 C.F.R. § 1.3, Citizens Utilities Company, on behalf of its telecommunications subsidiaries (collectively, Citizens),¹ by its attorney, hereby respectfully requests a temporary waiver of the Commission's truth-in-billing rules, 47 C.F.R. § 64.2400, *et seq.* until April 1, 2001. Citizens respectfully requests expedited treatment of this request.

Citizens Utilities Company's telecommunications subsidiaries provide local exchange services to approximately 996,796 access lines in rural study areas in Arizona, California, Idaho, Montana, Nevada, New Mexico, New York, Oregon, Pennsylvania, Tennessee, Utah, West Virginia, and Wisconsin. Citizens Telecommunications Company provides interexchange service primarily in areas in which the Citizens LECs provide local exchange service.

¹ Citizens Utilities Company's subsidiaries provide telecommunications services, electric distribution, natural gas transmission and distribution, and water and wastewater treatment services to approximately 1,900,000 customer connections in 22 states. Citizens has announced plans, however, to divest its non-telecommunications operations and to acquire additional local exchange properties as part of its transformation into a pure-play telecommunications company.

Citizens has grown its local exchange operations through acquisitions, most of which have occurred during the last seven years. As a result of these acquisitions, Citizens uses six separate billing systems that will require upgrades in order to comply with the truth-in-billing rules. These billing systems are CAMS, DPI, CDG, CSI, NIBI, and Comsoft.

CAMS and DPI provide billing for approximately 95% of Citizens' customers. Additionally, Citizens is currently in the process of acquiring an additional 813,000 access lines, which will nearly double the number of access lines Citizens serves. All of these customers will be migrated to CAMS and to DPI over the next year.

CAMS and DPI face another challenge as well. The DPI and CAMS bills are being completely reformatted to make them more clear, readable, and understandable to consumers. This reformatting goes far beyond merely incorporating truth-in-billing features. In fact, the reformatting is so comprehensive in scope that every single part of the bill is being changed, even the paper size. The ongoing formatting must be completed before truth-in-billing changes can be initiated. Otherwise, the entire reformatting process must be restarted from scratch. Citizens expects that the reformatting will be completed by July 2000. The truth-in-billing changes can then be initiated. Thus, over the course of the next year, it is expected that DPI and CAMS will incorporate 813,000 new customers -- doubling the number of Citizens customers they serve, comply with the truth-in-billing rules, and generate completely reformatted bills.

Comsoft faces a somewhat similar, but less daunting challenge. At Citizens' request, Comsoft is going beyond its planned truth-in-billing changes to make additional changes that Citizens believes will make the bills more closely conform to truth-in-billing requirements. Citizens expects that Comsoft's planned upgrades will be completed in July 2000. After these changes are completed, Comsoft can then begin the additional upgrades that Citizens has requested.

Importantly, Citizens does none of its billing in-house. All six of the billing systems it uses are operated by third-party vendors. Thus, while Citizens has no direct control over these billing systems, the vendors are working to upgrade their systems to comply with the truth-in-billing rules. Unfortunately, while each of the billing systems is at a different level of compliance, none will be fully compliant by the April 1, 2000 implementation date for truth-in-billing.² Based on discussions with the vendors, Citizens believes that all of the billing systems can be made fully compliant by the end of the first quarter of 2001. Accordingly, Citizens is seeking a temporary waiver of the truth-in-billing rules until April 1, 2001.

III. WAIVER REQUEST

Pursuant to 47 C.F.R. § 1.3, a waiver may be granted for good cause shown. More specifically, a waiver may be granted if special circumstances warrant a deviation from the general rule and such deviation will serve the public interest.³ The facts satisfy this standard.

Citizens has taken extraordinary efforts to ensure that its bills are clear, readable, and understandable. Independently of the truth-in-billing rules, Citizens has of its own accord undertaken efforts to reformat its bills. Further, it has done all that it can to ensure that its vendors upgrade their billing systems to comply with the truth-in-billing requirements, even to the point of requesting additional changes to ensure compliance with the truth-in-billing rules.

Unfortunately, Citizens' vendors, over whom it has no direct control, will be unable to complete the necessary system upgrades in time to meet the April 1, 2000 compliance date. These unusual circumstances warrant a waiver of the truth-in-billing rules to permit Citizens' vendors time

² Attached as Exhibit 1 is a chart showing the compliance of each billing system with each of the truth-in-billing requirements.

to complete the upgrades. Citizens believes that all of the necessary upgrades can be completed by April 1, 2001 and therefore seeks a temporary waiver until that date.

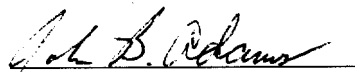
Grant of this waiver is in the public interest. The waiver will allow sufficient time for Citizens' vendors to complete upgrades to their billing systems. It will also allow ongoing comprehensive bill reformatting to continue without interruption. The reformatting is aimed at making Citizens' bills more clear, readable, and understandable to consumers. Thus, the waiver will further the goals of the truth-in-billing rules. Finally, grant of the waiver will allow more seamless integration of the additional 813,000 customers that Citizens expects to add this year through acquisitions.

IV. CONCLUSION

Unusual circumstances warrant granting Citizens a waiver of the truth-in-billing rules until April 1, 2001. Grant of the waiver is in the public interest, and will further the goals of the truth-in-billing rules. Thus, Citizens has shown good cause for the waiver.

Respectfully Submitted,

CITIZENS UTILITIES COMPANY

By: 
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March 29, 2000

³ *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990); *WAIT Radio v. FCC*, 418 F.2d 1153 (D.C. Cir. 1969).

Truth-in-Billing

Check list of requirements by billing system

	Identify each Service Provider on the Bill	Separate charges by Service Provider	Identify new Service Providers	Provide toll free number for each Service Provider	Identify when a Service Provider has changed	Clear descriptions of all services	Identify deniable and non-deniable charges
Billing System CAMS	Compliant	Compliant	No	Compliant	No	Semi-Compliant	No
Comsoft (Aptis)	No	No	No	No	No	Semi-Compliant	No
CDG	Compliant	Compliant	Compliant	Compliant	Compliant	Semi-Compliant	Compliant
CSI	Compliant	Compliant	Compliant	Compliant	Compliant	Semi-Compliant	Compliant
NIBI	No	No	No	No	No	Semi-Compliant	No
DPI	No	No	No	No	No	Semi-Compliant	No